

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72772 of 2018

Arising Out of PS. Case No.-246 Year-2018 Thana- MANIYARI District- Muzaffarpur

Kameshwar Singh Son of late Ram Ekbal Singh Resident of Village-
Maksudpur, P.S. Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar
For the Opposite Party/s : Mr.Sri Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-01-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since
12.08.2018 in connection with Maniyari P.S. Case No.246 of 2018
registered for the offences punishable under Sections 147, 148, 149,
341, 323, 307, 353, 332, 427, 504, 506 of the Indian Penal Code
and Section 30(a), 38 and 41 of the Bihar Prohibition and Excise
Act, 2016.

Prosecution case as per the written report of Arvind
Chaudhary, Sub Inspector on 12.08.2018 is to the effect that the
informant proceeded to conduct an enquiry concerning some blood
having fallen on the road, but he did not come across any
information regarding any untoward incident. But in the course of
such inquiry, the informant received an information regarding
foreign liquor being concealed at Baliram Singh's house, thereupon



the informant conducted raid at Baliram Singh drawing room and found around 670 litres of foreign liquor. When the informant and the police team began to proceed back with he seized liquor, then the police vehicles were surrounded by 150-200 men and women; and they began unloading the seized liquor and abused the police personnel and began to assault with lathi and danda.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner. Accusation is omnibus and general. Statement made in para 3 of the bail application that the petitioner has no criminal antecedent. In the case of similarly situated, co-accused, bail has been granted by a coordinate Bench of this Court vide order dated 10.12.2018 passed in Cr. Misc. No.73255 of 2018.

Considering the accusation which does not suggest recovery from the petitioner and the nature of accusation and the period of custody, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Maniyari P.S. Case No.246 of 2018.

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(Dinesh Kumar Singh, J)

